Revp-82/07

HIGH COURT OF CHHATTISGARH AT BILASPUR

Review Application No. 1262/2007

APPLICANTS RESPONDENTS No. 1 TO 4	1.	Union of India through the Secretary, Ministry of Home Affairs, New Delhi
	2.	Asstt. Inspector General (Estt.) Directorate General, Central Industrial Security Force, Block- 13, CGO, Complex, Lodhi Road, New Delhi – 3
	3.	Dy. Inspector General Central Industrial Security Force, Unit Bhilai Steel Plant, Bhilai Durg.
	4.	Commandant, Central Industrial Security Force, Unit Bhilai Steel Plant, Bhilai Durg.
	Versus	
RESPONDENTS PETITIONER	1.	R.P. Mishra, S/o. S.N. Mishra, aged 37 years (in W.P.) R/o. Q. No. D, Block No. 8, Street No. 7, Sector-3 Bhilai
RESPONDENT No. 5	2.	Bhilai Steel Plant, through its Managing Director, Ispat Bhawan, Bhilai Steel Plant, Township Durg

ORDER
(PASSED IN CHAMBER)
(Delivered on 19/11/2007)

Dhirendra Mishra, J

The applicants/respondents No. 1 to 4 have preferred this review petition for reviewing the order dated 14-11-2006 passed in W.P. No. 280/2006 whereby this Court allowed the writ petition of the respondent No. 1 and the respondents were directed to give the relief to the petitioner in terms of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The applicants have also filed an application for condonation of delay in filing this review petition as the same has been filed with a delay of 125 days.

2. The reason assigned for delay in filing this petition is that copy of the order was sent to higher authorities for their

perusal and in this process the petition could not be filed within time.

3. The grounds urged by the applicants in this petition are that the applicants could not take the plea in their reply and bring to the notice of this Court the ~~notice~~ Notification issued by the Government of India dated 10th September, 2002 whereby in exercise of power conferred by proviso to Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1995, the Central Government having regard to the type of work carried on exempted all categories of posts of "combatant personnel" only of the Central Para Military Forces (CPMFs) namely Central Reserves Police Force (CRPF), Border Security Force (BSF), Indo-Tibetan Border Police (ITBP) and Assam Rifles from the provisions of the said section.

4. After going through the petition of the petitioner and the order passed by this Court under review, it is observed that the cause of action arose to the petitioner on 7-6-2000 well before the notification dated 10th September, 2002. Therefore, there is no ground to the applicants for reviewing the order dated 14-11-2006.

5. In the result, the review petition is dismissed as the reasons assigned for delay in filing of this petition are not sufficient as also there is no ground for review of the order dated 14-11-2006.

Sd/-
Dhirendra Mishra
Judge

thak/-